

Rao Sahib C. J. Mathew (*Secretary to Government*): The order is dated 24th September 1946.

Mr. C. R. Iyyunni (*Minister for Revenue*): Under such circumstances I do not think there can possibly be a reasonable complaint for making this appointment and for granting this additional allotment. I pray that this House may be pleased to grant these amounts.

Demands put and carried

(17) "34-Industries (Transferred)"

Mr. C. R. Iyyunni (*Minister for Revenue*): I move for an additional allotment of Rs. 4,434 under "34-Industries (Transferred)—Cherpu Centre—Other charges". Last year, a sum of Rs. 6,000 was set apart for the construction of a semi-permanent shed in the Industrial Centre, Cherpu. It was subsequently found that the amount of Rs. 6,000 was not sufficient and a sum of Rs. 4,434 was found wanting. It is for that purpose that I ask for an additional allotment of Rs. 4,434 under that head. I pray that the House will be pleased to grant this allotment.

Mr. P. A. Muhamed Ashroff (*Cranganur*): On a point of information, Sir. May I know whether there is any portion of the Industries Department which is reserved?

Mr. President: Order, order. The "Industries (Transferred)" here is a quotation from the Budget. At the time the Budget was drafted, part of the Industries Department was reserved. Now there is no reserved Department.

Demand put and carried

(18) "38-Income-Tax"

* **Mr. C. R. Iyyunni** (*Minister for Revenue*): I move that an additional allotment of Rs. 73,315 be granted to Government under "38-Income-tax". The Sales Tax Act was passed in the last session of the Council, i.e., the Budget Session. Since that time for the carrying out of the provision under that Act an establishment had to be created. Under the Establishment a list has already been given of the various items of expenditure necessary. Of course, there is a complaint tabled here that there was hurry exhibited in making appointments under the Sales Tax Department. Of course, I am anticipating the cut motion by Mr. P. Kumaran Ezhthassan. There is a certain amount of truth that it was done in a hurry and it had to be done rather expeditiously and quickly for the reason that the tax will have to be collected from the persons from whom it is to be collected under the Sales Tax Act. With regard to that matter, I just want to give the information that the appointments have been made one day earlier than the date on which we took charge. It may be that it would have been more graceful if the appointments were made after the Ministry took charge. But when expedition and despatch is the cry of the day, in this particular matter when a certain amount of haste or hurry was made, I do not think there is much room for complaint, provided what has been done is the proper thing under the circumstances. I can only say that much. Since the various items given here are absolutely necessary for running the establishment, I pray that the demand be accepted and the House be pleased to grant the allotment.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): I move, Sir, that this supplementary grant of Rs. 73,315 under "38-Income-tax" be reduced by Re. 1, to censure the Government in the hurry exhibited by them in making the appointment to the Sales-Tax Department.

Mr. President: Does the Hon'ble Member move the other cut motion together with this?

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): No, Sir, that stands on a different footing.

The wording of the cut motion shows what the purpose is. The Hon'ble Minister who moved the grant has given us very useful information. It was one day before my esteemed friends took charge that these appointments costing the Government a small sum of Rs. 73,000 and odd were made; and the apologia put forward by my Hon'ble friend the Minister for Revenue for the persons who were responsible for making these huge appointments, is that when despatch is the cry of the day there is not much room for complaint. I do concede that there is no room for complaint, but abundant room for censuring the Government exists as distinguished from complaint. I am not registering any complaint at all. There is no petition

"Speech not corrected by the Hon'ble Member."

for redress. It is a down-right condemnation of the action of the Government in doing something which amounts to insulting our representatives, 4 in number, who are adorning the Benches of the Treasury. That is the point of my cut motion. Twenty-four hours more if allowed to expire before these appointments of persons which is the subject matter of another cut motion, had been made, 24 hours later the heavens would not have come down, the backwaters of Cochin would not have been washed away, or the High Court or the Secretariat or the Diwan's residence. No, Sir. They could have and should have waited for it and I believe, Sir, if the Ministers are worth their name, the first protest must have come from them, against the Government of the day which was a Government of the interregnum under notification No. 319 dated 23rd Karkadagam, following the no-confidence motions against those two innocent Ministers. Under that notification No. 319 the Transferred Departments have been resumed by the Diwan as per the Orders of His Highness, and by some activities of my esteemed friends which have been explained and referred to even from the public platforms they were able to change the state of things in Cochin and a responsible Ministry was made possible. All honour to them for their exploits in that behalf! Don't you stand insulted, my esteemed friends, I ask you seriously. Do you not feel insulted and have we no justification in feeling insulted when our leaders are being insulted? That is the question of questions that I put before you. Instead of putting the apologia as was done by the Hon'ble Minister for Revenue if he had joined me in registering the protest, I would have understood the position. Sorry for you, Sir. Now, Sir, look at this, one esteemed friend of mine, belonging to the Prajamandal Party who is on the Standing Finance Committee. He has registered his protest in the same language as I have used. When the grant came up for discussion, Mr. P. Achutha Menon took objection to the appointments just one or two days before the Ministers took charge. Yes, the protest has been registered. But I am sorry, Sir, for the other two members, his two other colleagues on the Standing Finance Committee, for not having joined hands with Mr. Achutha Menon for registering their protest. We shall not be party to our leaders, the Ministers, being insulted, by whatever high authority it be. That is the point of the cut. I place it for a dispassionate consideration by the House. I can tolerate, Sir, some A or B in this House, not supporting the motion; but I cannot visualise the situation of any other member inclusive of my esteemed friends of the Prajamandal Party not supporting me. In this case I am to assure you that I am not going to withdraw the cut whether it be as a result of transfused wisdom as was attempted by my Hon'ble friend. I may just inform the House that I am not going to withdraw the motion under any circumstances. I press it even though I know there will be only one individual member to support this cut. I will welcome that sign. I have said what I wanted to say. I have made the people to understand, the representatives of the people to understand, the authorities to understand. It is the insult administered upon the Ministers in having made the appointments just 24 hours before they assumed Office. That is the subject-matter of the cut, and I place it before the House.

Mr. President: I think that before this debate goes further, I had better intervene because the action which is the subject-matter of the cut moved by the Hon'ble Member for Wadakancheri, was taken by me at a time, when the whole of the administration was in my hands. I accept full responsibility for what was done. The Hon'ble Member for Wadakancheri has interpreted my action in a manner which certainly never crossed my mind and I am perfectly certain that it never crossed the minds of the Ministers; otherwise they would have made representations to me. Now, as the Hon'ble Minister for Revenue said in moving this grant, the Sales-Tax Act was passed in the last Budget Session and it had to be brought into effect from the first of this year. Obviously, a large and important taxation measure of this sort could not be introduced without an adequate staff to carry out the work. Therefore, immediately after the Budget Session was finished, and the administration, as I said, was completely in my hands, I took steps to get the staff together. Believe me that the matter was not done in a hurry. There was no hasty action about it. But it did take time to decide who were the best people to appoint to these posts. And it did so happen that the completion of this work took longer than had been anticipated and was not completed till a few days, I may say, before the Ministers took up Office. To avoid further delays I passed the order and some further time elapsed before the order was actually issued; so that it was dated a day before the Ministers took up Office. Now, I might perhaps have left it for the Ministers immediately after taking charge of the Department to redo the work that I had done. But on full consideration I thought that I should be failing in my duty if I did not complete the work that I had started. That is the history of the case and I say that nothing was farther from my mind than

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offering an insult to the Ministers. I am very sorry that the Hon'ble Member for Vadakkancheri has imputed this contemptible motive to me.

***Mr. P. Kumaran Ezhuthassan (Vadakkancheri):** With due respect to you, Sir, I accept in toto what has been stated by you, Sir, namely that nothing was farther from your heart than to mean an insult to our leaders. In making these appointments 24 hours before, which as stated by you, was not done hurriedly. It was after contemplation for 21 days. I understand that. It is also stated that the Hon'ble Ministers also did not take it in that light. On that, I read the minds of the Ministers differently from yours. As gentlemen who have to work the Constitution in the most accommodating way as was desired by the grantor they have to face a *fait accompli*. There is no use of murmur; but all the same, they must take that, will have to take that; and it was given expression to by the mover of the supplementary grant that it would have been more graceful if it had been left to be done by them. It means what the working of the mind of the Minister particularly concerned who is the mover of the supplementary grant is, and with the announcements that were appearing in the papers that they do things in consultation, meeting in the House of one Minister or other without the Diwan, and jointly consulting in between them. I take, Sir, that the feelings given expression to by the Hon'ble Minister for Revenue are the feelings of the other Ministers who had, the moment they took up Office, to face this *fait accompli*. That being so, having to respect the very unalloyed sentiments given expression to by the Diwan it was not the President that was speaking, it was the Diwan in the President that was speaking because it was the Diwan that was making the appointments and appreciating all that, and desiring to reciprocate myself, a sense of duty, Sir, does not permit me to withdraw the cut. It is not an insult, not at all meant by the authority that was responsible for the state of things and I accept the words in toto. The result is that. The feeling is that. That being so, Sir, as I stated, I am sorry, I do not find my way to withdraw this cut motion. I press it.

The motion was put and lost.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): Poll, Sir.

Ayes

Mr. P. Kumaran Ezhuthassan

Noes

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| 1. Mr. K. Kochukuttan | 17. Mr. M. K. Raja |
| 2. " K. K. Kannan | 18. " P. T. Jacob |
| 3. " K. S. Panicker | 19. " P. K. Paul |
| 4. Mrs. K. M. R. Menon | 20. " P. Sankara Menon |
| 5. Mr. P. K. Dewar | 21. " P. Achutha Menon |
| 6. Mr. K. Natarajan Chettiar | 22. " M. I. Paul |
| 7. " R. S. Thevanna Koundan | 23. " P. Mani |
| 8. " S. P. Luiz | 24. " C. S. Panicker |
| 9. " Paramel Ipe Ipe | 25. Rao Bahadur T. K. Nayar |
| 10. " K. I. Velayudhan | 26. Mr. P. Govinda Menon |
| 11. " K. T. Achuthan | 27. " M. Sivarama Menon |
| 12. " K. R. Ramakrishnan | 28. Rao Sahib P. V. Raphael |
| 13. " M. K. Verghese | 29. Mr. B. V. K. Menon |
| 14. " P. Narayana Menon | 30. Rao Sahib C. J. Mathew |
| 15. " C. R. Iyyunni | 31. Mr. P. E. Warne |
| 16. Rao Sahib K. Ayyappan | 32. " K. Govinda Menon |

Mr. President: The motion is lost by 1 vote to 32.

Mr. P. K. Dewar (Nominated): In view of what the Hon'ble Minister for Revenue has stated, I do not wish to move the cut motion standing in my name.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): I had asked for some information while sending my cut motion. If that is supplied, it will be useful.

Mr. C. R. Iyyunni (Minister for Revenue): May I know what is the information the Hon'ble Member requires?

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): Name of appointments made, posts previously held by them if they are transferred from other departments, the general and technical qualifications of the appointments barring, of course, the clerks.

**The Speech not corrected by the Hon'ble Member.*

Mr. C. R. Iyyunni (*Minister for Revenue*): (1) Mr. C. Balakrishna Menon, B.A., Revenue Account and Forest tests, trained in Income-tax Office Calicut, Survey training, Deputy Commissioner of Income-tax and Sales Tax, previous pay Rs. 150—200, present pay Rs. 300—400, (2) Nandakumara Menon, B.A., and Account test, Income-tax and Sales Tax Officer, previous pay Rs. 150—200, present pay Rs. 150—250, (3) Mr. J. E. Kohen, B.A., B.L., Income-tax Inspector, previous pay Rs. 80—100 present pay Rs. 100—150, (4) Mr. M. O. Joseph, B.A., B.L., Revenue Account and Huzur Office Manual tests, Income-tax Inspector, previous pay 60—80, present pay Rs. 100—150, (5) Mr. Ottur Krishnan Namboodiri, B.A. Hons. Head Clerk, pay Rs. 80—100 (a new recruit), (6) Mr. P. Mohammed Ibrahim, B.A., Income-tax Law and Procedure test, Book-keeping theory and Huzur Office Manual, Income-tax Surveyor, previous pay Rs. 80—100, present pay Rs. 60—100, (7) Mr. E. Balakrishna Warier, B.A., LLB., B.Com., Assistant Examiner of Accounts, pay Rs. 60—100 (a new recruit), (8) Mr. Francis Manavalan, B.A., LLB., B.Com., Assistant Examiner of Accounts, pay Rs. 60—100 (a new recruit), (9) Mr. T. S. Narayanan B.Com., Assistant Examiner of Accounts, pay Rs. 60—100 (a new recruit), (10) Mr. K. V. A. Menon, B.Com., Assistant Examiner of Accounts, pay Rs. 60—100 (a new recruit), (11) Mr. K. A. Achuthan, B.A., B.L., Income-tax Surveyor, pay Rs. 60—100, (a new recruit) (12) Mr. K. G. Baby, B.A., LLB., B.Com., Assistant Examiner of Accounts, pay Rs. 60—100 (a new recruit).

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): In the light of the information supplied by the Hon'ble Minister for Revenue, I do not move the cut motion.

Mr. P. Govinda Menon (*Minister for Food and Education*): An uninformed cut.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): You may use your wisdom.

Demand put and carried

(19) "30—Public Works—Civil Engineering".

Rao Sahib K. Ayyappan (*Minister for Public Works*): Sir, I move for an additional allotment of Rs. 1,00,000 under "30—Public Works—Civil Engineering—Communications Original". This is for the 50 per cent contribution to the Ernakulam Municipality for tarring the Ernakulam Municipal Trunk Roads. Orders were passed to take up this work recently. Therefore it was not possible to make provision for this item of expenditure in the Budget. Government have decided not to give any contribution for the maintenance of these roads for the next 20 years. Therefore, this contribution of 50 per cent may be given and this is an urgent work, and I hope this House will not ask the Government to postpone the work till regular provision is made in the Budget. So I request that the House may be pleased to vote for the grant.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Sir, it has been stated by the Hon'ble Minister for Public Works that contribution for maintenance of these roads will not be made for twenty years. Will they not require repairs during these twenty years.

Rao Sahib K. Ayyappan (*Minister for Public Works*): For that they will find the money from their own funds.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Is there any guarantee that they will do it.

Rao Sahib K. Ayyappan (*Minister for Public Works*): The Hon'ble Member may be rest assured that the roads will be maintained in proper order.

Demand put and carried

(20) Token grant under "30—A—Civil Engineering".

Rao Sahib K. Ayyappan (*Minister for Public Works*): Sir, I move for a token grant of Re. 1 under "30—A—Civil Engineering B.O. Workshop—Maharaja's College". This is only an adjustment and the workshop in the college which was used for the training of the candidates for War Service is required for the college. The original intention of the Government was to share the expenditure between this Government and the Government of India. Now the Government of India has raised the question of disposal of this building and because we want it we have to incur the whole expenditure and for that this adjustment proposal is made. I request that the House may be pleased to allow the grant.

Demand put and carried